

Message Text

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SUBJECT: LAWYERS' FEES

1. AS RUIULT OF BEING BOMBARDED WITH COMPLAINTS BY
BUSINESSMEN AGAINST EXHORBITANT LAWYERS' FEES, EMBASSY HAS
INTERVIEWED WIDE SAMPLE OF LAWYERS TO ASCERTAIN WHAT ARE
"REASONABLE" FEES FOR INCORPORATION AND OTHER LEGAL
SERVICES. THESE IS A GENERAL COUNCIL OF BAR, CHARIED BY
DR. NARO GRAHAM-DOUGLAS AND A NIGERIAN BAR ASSOCIATION,
CHAIED BY DR. E ORON

BUT THERE IS NO INSTRUMENT WHICH
REGULATES THE PRICES LAWYERS CAN CHARGE FOR SERVICES.

2. FEES CURRENTLY CHARGED FOR INCORPORATION RANGE FROM
NARIA 5,000 TO NAIRA 60,000. INCLUDED IN FEE IS A NAIRA
4,000 PAYMENT TO THE GOVERNMENT FOR STAMP TAX AND APPLICATION
FO CATEGORY "D" INCORPORATION. WHEN ASKED WHY THERE WASXD
SUCH A DIVERGENCE IS PRICE, LAWYERS CLAMED THAT THEY
REALY DIDN'T KNOW WHAT HB CHARGE AS THERE WAS NO FIXED
SCALE. FOLLOWING TRADITIONAL NIGERIAN BARGAINING PRACTICES,
THEY SIMPLY SET HIGH PRICE, WHICH FIRMS MORE OFTEN THAN
NOT ACCEPT WITHOUT QUESTION. SOME LAWYERS CONFESSED
TO FEELING GUILTY ABOUT THE AMOUNTS BEING TAKEN WITHOUT
RESISTANCE.

4. THE 1971 LEGISLATION ON SCALES OF FEES, WHICH GOVERNS
FEES FOR CONVEYANCY, E.G., LEASES, ASSIGNMENT AND SALE OF
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PROPERTY IS USUALLY IGNORED AND HIGHER FEES OBTAINED, IF POSSIBLE.

THE LEGISLATION SETS FEES AT
10 PERCENT. FOR PROPERTY TRANSACTIONS, FOR
EXAMPLE, A LAWYER COULD RECEIVE 10 PERCENT OF YEARLY RENTAL
RATE OR 10 PERCENT OF FIVE-YEAR RENT COLLECTED IN ADVANCE.
THIS MEANS THAT THE RECENT RENT EDICT SHOULD HURT LAWYERS, TOO.

5. AMERICAN BUSINESSMEN SHOULD NOTE THAT THEY CAN BE
INCORPORATED AS EASILY BY CHARTERED ACCOUNTANTS AS BY
LAWYERS. SOME ACCOUNTANTS CHARGE NAIRA 500 FOR THEIR FEES,
MAKING THE TOTAL PRICE OF INCORPORATION NAIRA 4,500.
ALTHOUGH SOME INFLUENTIAL LAWYERS OFFER TO PROVIDE CLIENTS
A WIDER RANGE OF CONTACTS WITH GOVERNMENT, THEY ARE OFTEN
SPREAD SO THINLY THAT THEY DO NOT HAVE THE TIME TO CARRY OUT
THIS FUNCTION.
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